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JAN 25 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10588B

2001 JAN 24 AM 9:27

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: JOYCE LIVESTOCK CO
C/O PAUL NETTELTON
MURPHY, ID 83650

SOURCE: FOSSIL CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 08/24/1985

POINT OF DIVERSION: T04S R02W S32 NESE (Instream Beginning Point) Within Owyhee County
SWSE (Instream Beginning Point)
SWSE (Instream Ending Point)
S33 NESE (Instream Beginning Point)
NESW (Instream Ending Point)
NWSW (Instream Ending Point)
NESE (Instream Ending Point)
S34 NWSW (Instream Beginning Point)
NESW (Instream Ending Point)
T05S R02W S06 SESE (Instream Ending Point)
S07 NWNE (Instream Beginning Point)

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Stockwater 01-01 TO 12-31 0.02 CFS

PLACE OF USE: Stockwater Within Owyhee County
T04S R02W S32 NESE SWSE
S33 NESW NWSW
S34 NESW NWSW
T05S R02W S06 SESE
S07 NENE NWNE
NWNE

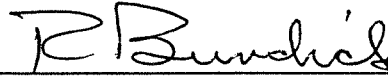
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

A handwritten signature in black ink, appearing to read "R Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
)
)
)
ORDER OF PARTIAL DECREE

For Water Right 57-10588B

On November 28, 1997 a *Special Master's Report and Recommendation* was filed for the above water right. *Notices of Challenge* were filed by the United States Department of Justice and by Richard L. Harris, attorney for Joyce Livestock.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, Judge Daniel C. Hurlbutt entered an *Order Denying Challenges and Adopting Special Master's Report and Recommendation* on September 30, 1998.

Therefore, IT IS ORDERED that water right 57-10588B is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 24, 2001.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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Department of Water Resources

2001 JAN 24 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 57-10588B

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-10588B was mailed
on January 24, 2001, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JOYCE LIVESTOCK CO
Represented by:
RICHARD L. HARRIS
PO BOX 1438
1023 ARTHUR STREET
CALDWELL, ID 83606
Phone: 208-459-1588

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

SCANNED
JAN 28 2003

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01/24/01